

**PB# 86-7**

**Vanacore, DeBenedictus, &  
DiBuianni**

**4-1-24**

86-7  
Vanacore, DeBenedictus, Dibuianni,  
*Weddell Seal Plan*

Approved  
filed with T.C. office  
2/13/88 sh.

**Oxford®**

ESSELTE

MADE IN U.S.A.

NO. 753 1/3



# Oxford®

ESSELTE

MADE IN U.S.A.

NO. 753 1/3



General Receipt			7258
TOWN OF NEW WINDSOR 555 Union Avenue New Windsor, N. Y. 12550			
Received of <u>Varacore, De Benedictus, Dr. Giovanni</u>			<u>January 29</u> 19 <u>86</u>
<u>Seventy-five and 00/100</u>			<u>25.00</u>
			DOLLARS
For <u>Site Plan 86-7</u>			
DISTRIBUTION			
FUND	CODE	AMOUNT	
<u>CP# 0516</u>		<u>25.00</u>	
By <u>Pauline M. Tencosina</u>			
<u>Town Clerk</u>			
			Title

Williamson Law Book Co., Rochester, N. Y. 14609



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

February 11, 1986

1763

Mr. Joseph Vanacore  
VANACORE, DE BENEDICTUS, DI GOVANNI & WEDDELL  
429 Little Britain Road  
New Windsor, N. Y. 12550

RE: APPLICATION FOR SPECIAL PERMIT  
#86-3

Dear Mr. Vanacore:

This is to confirm that a public hearing was held regarding the above-entitled application before the Zoning Board of Appeals. The Board voted to grant the above request for special permit. This decision was made at the February 10, 1986 meeting.

Formal decision will be drafted at a later date and acted upon by the Board. You will be receiving a copy by return mail.

Very truly yours,

PATRICIA DELIO  
Secretary to Zoning Bd. of Appeals

/pd

cc: Town Building Inspector  
**Planning Board**

*Planning Board*  
*Received 1/29/86 ph*  
*86-7*

RIDER, WEINER, LEWIS & MELCHIORI, P.C.  
ATTORNEYS & COUNSELLORS AT LAW

ELLIOTT M. WEINER  
DAVID L. RIDER  
ALAN R. LEWIS  
MARIA F. MELCHIORI

M.J. RIDER (1906-1968)  
427 LITTLE BRITAIN ROAD  
POST OFFICE BOX 2280  
NEWBURGH, NEW YORK 12550  
TEL. (914) 562-9100

January 23, 1986

Henry J. Reynolds, Chairperson  
Town of New Windsor Planning Board  
555 Union Avenue  
New Windsor, N.Y. 12550

Re: Application of Vanacore,  
DeBenedictus, DiGiovanni &  
Weddell

Dear Mr. Reynolds and Members of the Planning Board:

We have entered into an agreement to rent a minimum of 10 parking spaces to the firm of Vanacore, DeBenedictus, DiGiovanni & Weddell on premises which we own and which are adjacent to the applicant's property. Our parking facilities are substantially under-utilized and, accordingly, there is no adverse impact on our parking requirement and, indeed, there is substantial additional area for parking were they to require more space.

We, further, have no objection to the proposed application and support it as a practical and appropriate solution to an immediate problem.

Sincerely yours,

DLR:11

RIDER, WEINER & LOEB

by: David L. Rider  
DAVID L. RIDER

Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12550

(This is a two-sided form)

Date Received 1/28/86  
Meeting Date 2/11/86  
Public Hearing \_\_\_\_\_  
Action Date \_\_\_\_\_  
Fees Paid 85.00

86-17

APPLICATION FOR SITE PLAN APPROVAL

1. Name of Project \_\_\_\_\_
2. Name of Applicant VANACORE DeBENEDICTUS DIBUANA WEDDELL Phone 561 8600  
Address 429 LITTLE BRITAIN RD PO BOX 1191 NEWBURGH N.Y. 12550  
(Street Name & No.) (Post Office) (State) (Zip Code)
3. Owner of Record VANACORE DeBENEDICTUS + MASTEN W Phone 561 8600  
Address SAME AS ABOVE  
(Street Name & No.) (Post Office) (State) (Zip Code)
4. Name of Person  
Preparing Plan \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Name & No.) (Post Office) (State) (Zip Code)
5. Attorney NONE Phone \_\_\_\_\_  
Address \_\_\_\_\_  
(Street Name & No.) (Post Office) (State) (Zip Code)
6. Location: On the EAST side of LITTLE BRITAIN RD  
(Street)  
\_\_\_\_\_ feet \_\_\_\_\_  
(direction)  
of \_\_\_\_\_  
(Street)
7. Acreage of Parcel 3/4 ACNE APPROX.
8. Zoning District PI
9. Tax Map Designation: Section 4 Block 1 Lot(s) 24
10. This Application is for the use and ~~Construction of~~ TEMPORARY  
MOBILE OFFICE
11. Has the Zoning Board of Appeals granted any variance or special  
permit concerning this property? YES If so, list case  
Number and Name \_\_\_\_\_
12. List all contiguous holdings in the same ownership  
Section NONE Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

FOR OFFICE USE ONLY:

Schedule \_\_\_\_\_ Column \_\_\_\_\_ Number \_\_\_\_\_

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

28 day of JAN, <sup>1986</sup>~~1985~~ Thomas C DeBenedictis  
(Applicant's Signature)

Shirley B Hassdenteufel  
SHIRLEY B. HASSDENTEUFEL  
Notary Public, State of ~~Notary~~ Public  
No. 4784798  
Qualified in Orange County  
Commission Expires March 30, 1996

\_\_\_\_\_  
Title

OWNER'S ENDORSEMENT

(Completion required ONLY if applicable)

COUNTY OF ORANGE  
STATE OF NEW YORK

\_\_\_\_\_ being duly sworn, deposes and says  
that he resides \_\_\_\_\_ in the  
(Owner's Address)

county of \_\_\_\_\_ and State of \_\_\_\_\_  
and that he is (the Owner in fee) of ( \_\_\_\_\_ of the \_\_\_\_\_  
(Official Title)

Corporation which is the Owner in fee) of the premises described in  
the foregoing application and that he has authorized \_\_\_\_\_  
\_\_\_\_\_ to make the foregoing application for  
special use approval as described herein.

Sworn before me this

\_\_\_\_\_ day of \_\_\_\_\_, 198\_\_\_\_\_  
(Owner's Signature)

\_\_\_\_\_  
Notary Public



PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 3

Request of VANACORE, DE BENEDICTUS, DI GOVANNI & WEDDELL

for a ~~VARIANCE~~ SPECIAL PERMIT of the regulations of the Zoning Ordinance to permit the placement of a temporary office trailer to the rear of permanent structure, being a ~~VARIANCE~~ SPECIAL PERMIT of Section 48-9 - Table of Use Regs. - Col B for property situated as follows:

429 Little Britain Road, New Windsor, N. Y.

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SAID HEARING will take place on the 10th day of February, 1986, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 7:30 o'clock P. M.

JOHN BABCOCK  
Chairman

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 86-3

Date: 1/28/86

I. Applicant Information: VANACORE, DE BENEDICTUS, DI GOVANNI & WEDDELL

- (a) 429 Little Britain Road, New Windsor, N.Y. x  
(Name, address and phone of Applicant) (Owner)  
(b) -  
(Name, address and phone of purchaser or lessee)  
(c) -  
(Name, address and phone of attorney)  
(d) -  
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☐ Sign Variance  
☐ Area Variance ☒ Special Permit

III. Property Information:

- (a) PI 429 Little Britain Road 4-1-24 152 x 295  
(Zone) (Address) (S B L) (Lot size)  
(b) What other zones lie within 500 ft.? none  
(c) Is a pending sale or lease subject to ZBA approval of this application? n/a  
(d) When was property purchased by present owner? 11/5/80  
(e) Has property been subdivided previously? no When? -  
(f) Has property been subject of variance or special permit previously? no When? -  
(g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? Yes  
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: n/a

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section       , Table of        Regs., Col.       , to allow:  
(Describe proposal)

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

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V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

\* Residential Districts only

\*\* Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

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VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	sq. ft.	sq. ft.	sq. ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

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- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

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VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section 48-9, Table of Use Regs., Col. B.

- (b) Describe in detail the use and structures proposed for the special permit.

Applicant proposes the placement of a temporary office trailer to the rear of existing office located in a PI zone. The duration of the temporary trailer will be six (6) months so that applicant may construct an addition to existing offices.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Since the temporary office trailer is proposed to be placed to the rear of the existing office, it will not be visible from the highway. Additional parking will be provided through adjacent lot.

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IX. Attachments required:

- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$ 50.00 payable to TOWN OF NEW WINDSOR.
- ☐ Photos of existing premises which show all present signs and landscaping.

## X. AFFIDAVIT

Date Jan. 28, 1986

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF ORANGE )

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Thomas C. Benedict  
(Applicant)

Sworn to before me this

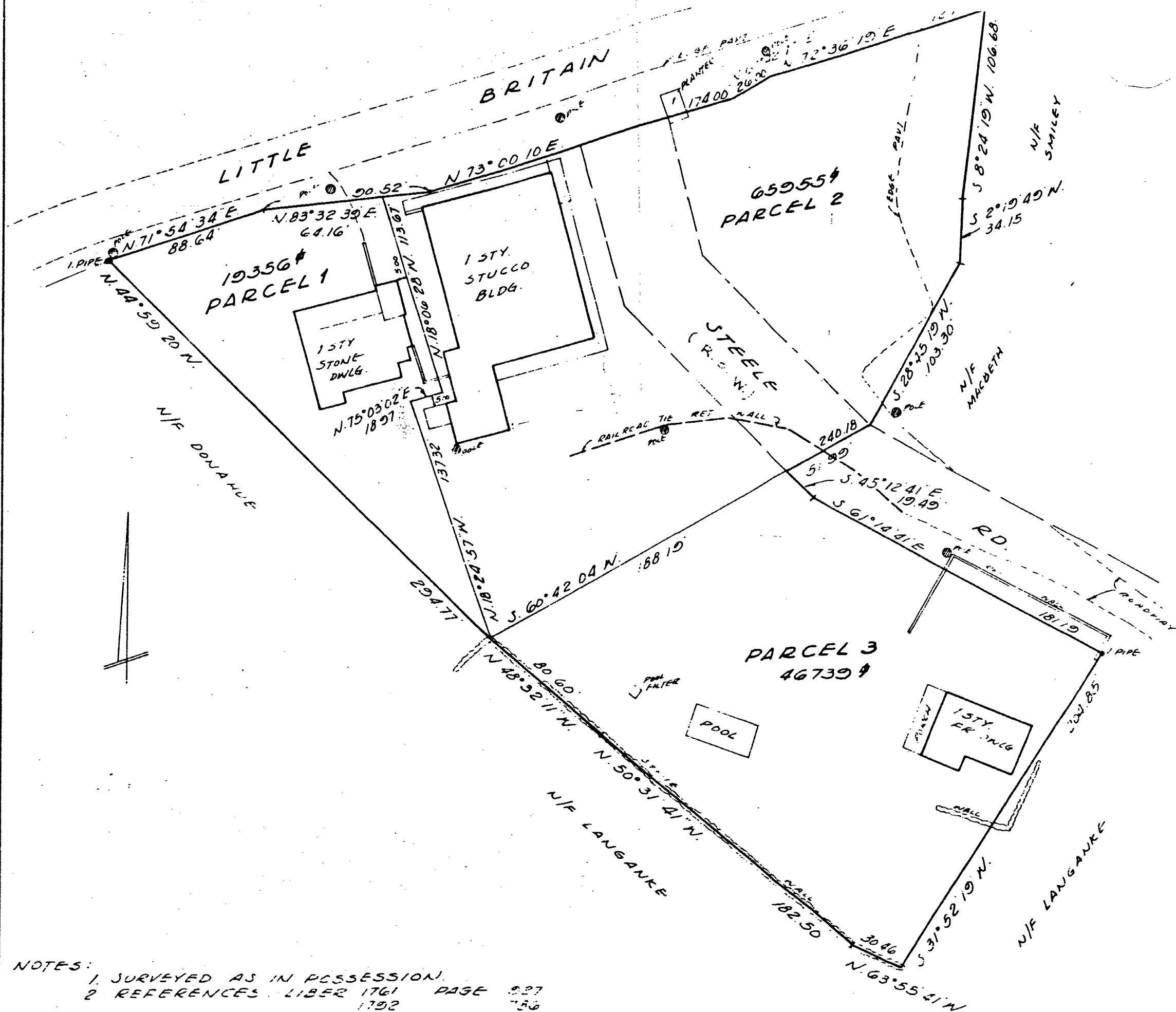
28th day of January, 1986

**PATRICIA DELIO**  
**NOTARY PUBLIC, State of New York**  
**No. 5970776**  
**Qualified in Orange County**  
**Commission Expires March 30, 1987.**

## XI. ZBA Action:

- (a) Public Hearing date \_\_\_\_\_
- (b) Variance is \_\_\_\_\_
- Special Permit is \_\_\_\_\_
- (c) Conditions and safeguards: \_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY  
RESOLUTION OF ZONING BOARD OF APPEALS.



TAD  
C.W.

SURVEY  
RIDER,  
TOWN OF NE,  
SEPT. 3, 1971